IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 17 OF 2006

MISS RATI BABUNANDAN PRASAD, PONDA, GOA. ....Petitioner

Versus

STATE THROUGH ITS PUBLIC PROSECUTOR ....Respondent

Mr. D. Pangam, Advocate for the Petitioner.
Mr. C.A. Ferreira, Public Prosecutor for the State.

Coram:- N. A. BRITTO, J.

Date:- 27th July, 2006

P.C.:

Heard Shri Pangam, the learned Counsel on behalf of the petitioner who is accused no.1 in Criminal Case No. 68/S/2004 under Sections 452,323,504 IPC. A perusal of the roznama, copy of which has been submitted on behalf of the petitioner, shows that the progress of the trial in the said case is far from satisfactory. It is noticed that at one stage A-3 was wrongly served. Thereafter charge was framed against all the accused and than again A-3 was discharged. It also appears that another accused is impleaded as A-3 and he too has sought for his discharge and the matter is now pending with his application Exhibit 34. Not a single witness has been examined inspite of the fact that charge sheet was submitted before the Court on 22/06/2004. It also appears that some of the accused are also lax in appearing before the Court as a result of which much time has been wasted either in issuing NBW's and or cancelling them. Although two years have lapsed the case is not made ready for trial after framing of charge. In the light of the above the following order;

2. The learned JMFC is hereby directed to dispose of the application

Exhibit 34 on its own merits within a period of 30 days from the date of hearing which has been fixed by the trial court and thereafter complete the trial as expeditiously as possible.

3 With the above observations the petition is disposed of.

N. A. BRITTO, J.

NH